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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/989,255

11/20/2001

Ming-Hung Lin

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05/21/2004

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

FOX, BRYAN J

ART UNIT

PAPER NUMBER

2686

DATE MAILED: 05/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/989,255

Applicant(s)

LIN, MING-HUNG

Examiner

Bryan J Fox

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 8-10 is/are rejected.
- 7) ☒ Claim(s) 3-7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5 & 7</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 10, the combination of multiple dependencies to claims 1-7 and also to claims 8 or 9 renders the claim indefinite because it is not clear as to what is being claimed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 8 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Veijola et al (US006128509A).

Regarding claim 8, Veijola et al discloses a system where an accessory device 28 connects to a mobile phone 10 (see figure 2), which reads on the claimed “auxiliary rendering device comprising mobile device communication means for establishing an

auxiliary communication session with a mobile device". The device sends a registration message containing information about the device type (see column 11, lines 23-34), which reads on the claimed "assistance message comprising information on the capabilities of the auxiliary rendering device to the mobile device".

Regarding claim 9, Veijola et al discloses the use of a resource request message and a resource response message (see column 20, line 64 – column 21, line 10), which read on the claimed "assistance request" and "assistance message" respectively. Both are in the form of ISI messages (see column 22, lines 18-25) and include a resource group of the device involved (see column 22, lines 42-45).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tryding (US005880732A) in view of Makipaa et al (US006556217B1).

Regarding claim 1, Tryding discloses an apparatus where a base transceiver station 25 will transmit a variety of data and messages to the mobile telephone 10 through a downlink 30 (see column 2, lines 31-34 and figure 1), which reads on the claimed "mobile device comprising primary communication means for establishing a primary communication session...with a content server". The apparatus also generates a communications link 5 between a mobile telephone 10 and a display monitor 15 to enable the display of mobile telephone data on the display screen 20 of the display monitor 15 (see column 2, lines 26-31 and figure 1), which reads on the claimed "auxiliary communication means for establishing an auxiliary communication session with an auxiliary rendering device". Tryding fails to teach the use of a transcoding proxy.

Makipaa et al discloses a system where a user terminal 30 communicates to the content server 20 which is responsible for delivering data information to the user terminal 30 from a content provider 10. This content server includes a pagination engine 90 (see figure 2), which reads on the claimed "transcoding proxy" that converts the digital data to the proper format for each user terminal 30 (see column 6, lines 45-51).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Tryding with Makipaa to include the above reformatting of data for the specific device in order to operate with almost any web site so that the operator

for the web site would not need to generate and maintain different web pages for different devices and screen types a user may have as suggested by Makipaa et al (see column 2, line 59 – column 3, line 2).

Regarding claim 2, the combination of Tryding and Makipaa et al discloses a phone display 35 (see Tryding figure 1), which reads on the claimed “rendering means for rendering content received in the primary communication session”. A text display menu 75 enables selection of the various types of text or information which a user desires to have displayed upon the display screen 20 of display monitor 15 so that the user may selectively program the type of data which is going to be displayed upon the display monitor rather than having all types of display data presented (see Tryding column 3, lines 17-33), which reads on the claimed “rendering control means for examining the content and redirecting the content to one of the rendering means and the auxiliary communication means in dependence on the examination”. The apparatus also generates a communications link 5 between a mobile telephone 10 and a display monitor 15 to enable the display of mobile telephone data on the display screen 20 of the display monitor 15 (see Tryding column 2, lines 26-31 and figure 1), which reads on the claimed “auxiliary communication means are arranged for transmitting the content via the auxiliary communication session for rendering by the auxiliary rendering device”.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tryding in view of Makipaa et al, and further in view of Veijola et al.

Regarding claim 10, Tryding discloses an apparatus where a base transceiver station 25 will transmit a variety of data and messages to the mobile telephone 10

through a downlink 30 (see column 2, lines 31-34 and figure 1), which reads on the claimed "mobile device comprising primary communication means for establishing a primary communication session...with a content server". The apparatus also generates a communications link 5 between a mobile telephone 10 and a display monitor 15 to enable the display of mobile telephone data on the display screen 20 of the display monitor 15 (see column 2, lines 26-31 and figure 1), which reads on the claimed "auxiliary communication means for establishing an auxiliary communication session with an auxiliary rendering device". Tryding fails to teach the use of a transcoding proxy.

Makipaa et al discloses a system where a user terminal 30 communicates to the content server 20 which is responsible for delivering data information to the user terminal 30 from a content provider 10. This content server includes a pagination engine 90 (see figure 2), which reads on the claimed "transcoding proxy" that converts the digital data to the proper format for each user terminal 30 (see column 6, lines 45-51).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Tryding with Makipaa to include the above reformatting of data for the specific device in order to operate with almost any web site so that the operator for the web site would not need to generate and maintain different web pages for different devices and screen types a user may have as suggested by Makipaa et al (see column 2, line 59 – column 3, line 2). The combination of Tryding and Makipaa et al fails to expressly disclose an auxiliary rendering device as claimed in claim 8 or 9.

Veijola et al discloses a system where an accessory device 28 connects to a mobile phone 10 (see figure 2), which reads on the claimed "auxiliary rendering device comprising mobile device communication means for establishing an auxiliary communication session with a mobile device". The device sends a registration message containing information about the device type (see column 11, lines 23-34), which reads on the claimed "assistance message comprising information on the capabilities of the auxiliary rendering device to the mobile device".

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Tryding and Makipaa et al with Veijola et al to include the above accessory device registration in order to dynamically assign device addresses as suggested by Veijola et al (see column 10, lines 24-32).

Allowable Subject Matter

Claims 3-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 3, the prior art applied fails to disclose or render obvious a mobile device where auxiliary communication means are arranged for receiving an assistance message from the auxiliary rendering device, the assistance message comprising information of the capabilities of the auxiliary rendering device, and for establishing the auxiliary communication session in response to the assistance

message, and the primary communication means are arranged for transmitting said information on the capabilities to the transcoding proxy.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tokoro (US 20020052183A1) discloses a communication system.

Ereckson (US006622018B1) discloses a portable device control console with wireless connection.

Kitayama (US 20030029911A1) discloses a system and method for converting digital content.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan J Fox whose telephone number is (703) 305-8994. The examiner can normally be reached on Monday through Friday 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BJF

Nguyen Vb
5-13-04

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PRIMARY EXAMINER